

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

EDWARD JAMES HOVEY,

Defendant.

CR-21-50-GF-BMM

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on June 27, 2025. (Doc. 67.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on June 24, 2025 (Doc. 65.)

The United States accused Edward Hovey (Hovey) of violating the conditions of his supervised release by: (1) failing to contact the probation office within seventy-two hours of his release from custody on April 3, 2025; (2) failing to show up for his scheduled intake on April 14, 2025, as instructed by his probation

officer; and (3) failing to comply with his home confinement schedule on April 14, 2025; by (4) being in the company of a child under the age of 18 without the prior written approval of his probation officer on May 27, 2025; (5) accessing the internet without the prior permission of his probation officer on May 27, 2025; (6) failing to submit his weekly location monitoring scheduling to his probation officer on May 28, 2025, as instructed; (7) failing to comply with home confinement on June 3, 2025; and (8) possessing a pornographic DVD on June 3, 2025. (Docs. 54 and 62.)

At the revocation hearing, Hovey admitted that he had violated the conditions of supervised release 1-4 and 6 and 7 as set forth in the Petition. The government moved to dismiss alleged violation 5 which Judge Johnston granted. Judge Johnson determined the government had not met its burden with respect to alleged violation 8. (Doc. 65.)

Judge Johnston found that violations Hovey admitted prove serious and warrants revocation of his supervised release and recommends a term of custody of 6 months with 48 supervised release to follow with 180 spent in a residential re-entry center as directed by his probation officer. (Doc. 67.) The Court advised Hovey of his right to appeal and to allocute before the undersigned. (Doc. 65.)

The violations prove serious and warrants revocation of Hovey's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 67) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Edward James Hovey be sentenced to 6 months custody with 48 months of supervised release to follow, with 180 days spent in a residential re-entry center as directed by his probation officer.

DATED this 14th day of July 2025.



Brian Morris, Chief District Judge
United States District Courts